



CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

AGENDA

Planning and Zoning Commission and City Council Joint Public Input Workshop*

Monday, April 30, 2018, at 5:30 P.M.

City Hall Council Chamber

201 E. Walnut

Decatur TX 76234

Call to Order

- ITEM 1:** HEAR PUBLIC INPUT, DISCUSS WITH STAFF AND PUBLIC, AND GIVE STAFF DIRECTION REGARDING THE PROPOSED CREATION OF A HALE STREET CORRIDOR AND ESTABLISHING CORRIDOR AS A MIXED USE LAND USE DISTRICT; DISCUSSION TO INCLUDE THE FOLLOWING TOPICS:
- A. STAFF SUMMARY OF PUBLIC INPUT MEETINGS HELD ON FEBRUARY 20, 2018, AND FEBRUARY 27, 2018.
 - B. ADDITIONAL INPUT FROM PUBLIC AND ELECTED AND APPOINTED OFFICIALS REGARDING THE PROPOSED CORRIDOR..
 - C. COMMISSION AND COUNCIL DIRECTION REGARDING NEXT STEPS. DIRECT STAFF REGARDING THE PROPOSED CREATION OF A HALE STREET MIXED USE LAND USE DISTRICT, CURRENTLY PROPOSED TO INCLUDE S. TRENCHARD ST. TO THE WEST, COLLINS ST. TO THE NORTH, US HWY 81-287 BUSINESS TO THE EAST AND SAUNDERS ST.. TO THE SOUTH, OR PROVIDE DIRECTION REGARDING ALTERNATIVES OR OTHER APPROPRIATE ACTION FOR FUTURE CONSIDERATION.

Adjournment

Prepared and posted this the 26th day of April, 2018, in accordance with Chapter 551, Texas Government Code.

Dedra Denée Ragland, AICP
Planning and Development Director



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STAFF REPORT

April 30, 2018 – Planning & Zoning Commission and City Council Joint Workshop

TO: Honorable Mayor and City Council Members **CASE:** SI2017-08B
Planning & Zoning Commissioners

FROM: Dedra D. Ragland, AICP, Planning Director **APPLICANT:** City of Decatur
DATE: April 16, 2018 **REQUEST:** Create Hale Street
Corridor Mixed
Use Land Use
District

Case Notes:

On September 12, 2016, Staff met with the City Council and the Planning and Zoning Commission to discuss a request by Mr. Richard Sipes to consider changing the land use designation of the properties a block or two along Hale Street from Trenchard Street to US Hwy 81/287 Business, from a Medium Density Residential (MDR) Land Use Designation to a Commercial (COM) or Mixed Use (MU) Land Use Designation. A Mixed Use Land Use Designation along Hale Street is a practical solution as it allows for commercial and residential uses to co-exist.

The City Council and the Planning and Zoning Commission agreed that a Mixed Use Land Use Designation might be more appealing to the affected property owners and several recommended Staff consider expanding the proposed Hale Street corridor to include Collins Street to the north and Collum Street or Saunders Street to the south. The City Council and the Planning and Zoning Commission further agreed that it is appropriate that the Hale Street Corridor be designated as a Mixed Use Land Use Designation, if agreeable to the residents and property owners. Staff was directed to meet with the corridor and area residents to ensure the proposed Mixed Use Land Use Designation is agreeable.

The City Council and Planning and Zoning Commission received an update on the proposed Hale Street Corridor on November 20, 2017. At the time, the proposal had been on hold since September 12, 2016. The City Council and Planning and Zoning Commission directed Staff to begin the process of seeking public input from affected property owners, residents and business owners regarding the request to change the Land Uses along Hale Street to US Hwy 81/287 Business, including Collins Street to the north and Saunders Street to the south.

Staff conducted two public input meetings on February 20, 2018, and February 27, 2018. The Staff Minutes from those meetings are included in Attachments 4 and 5. In summary, there was opposition to the proposal. The majority of the attendees lived east of Trinity St. that expressed the strongest opposition to the proposal. Due to comments in opposition and the statements of concern expressed at the public input meetings, Staff determined it necessary to hold this joint public workshop to obtain direction from Council and the Commission. Questions and concerns expressed at the input meetings include the following:

1. Is there a master plan for a “restaurant row” along Hale Street?

2. What exactly is the City's vision for growth?
3. Residents like the old trees and small town residential areas in the neighborhood.
4. The neighborhood is currently a walkable neighborhood with residents walking their dogs and riding bikes.
5. There is already heavy traffic along Hale Street. When QT finally locates on the west end, how will the increased traffic be addressed? How will the ramp off US Hwy 81/287 be impacted? How will the increased truck traffic be addressed?
6. Why not limit the proposed mixed-use corridor to the QT area?
7. The idea that apartments could be permitted next door to single-family homes is undesirable.
8. Increased commercial development will adversely impact residential home values and taxes will increase.
9. City does need to expand by encouraging development; however, the expansion needs to occur elsewhere.

Legality:

According to the Texas Local Government Code, the land use designation can be legally amended given a public hearing (§213.003), review and recommendation from the Planning & Zoning Commission (§213.003), and approval by City Council (City Charter).

Analysis:

What does creating the corridor as a Mixed Use Land Use District accomplish?

- a. Encourages the conservation or maximization of land resources. Similarly, mixed-uses can present opportunities for building and energy efficiency.
- b. Encourages development within dense, more compact areas of land;
- c. Reduces long-term maintenance costs because of the proximity of uses, including many which can be stacked vertically.
- d. Reduces sprawl and building communities where residents live and walk to work reduces car usage, positively impacting the environment.
- e. Provides access to greater densities as a response to changing consumer demands
- f. Evolving uses as builders and property owners identify more new ways to utilize building structures.

What is the down side to creating the corridor as a Mixed Use Land Use District?

- a. Neighborhood opposition to the influx of any nonresidential uses.
- b. Parking may become problematic as a result of increased traffic as nonresidential uses develop.
- c. Increase in noise, odor and light may be a tradeoff to the conveniences of short distances between living, work, commercial and recreational destinations.
- d. The residential homogeneity of the neighborhoods, especially those east of Trinity Street, is likely to change.
- e. Greater densities may threaten the social and economic attractiveness of the neighborhoods.

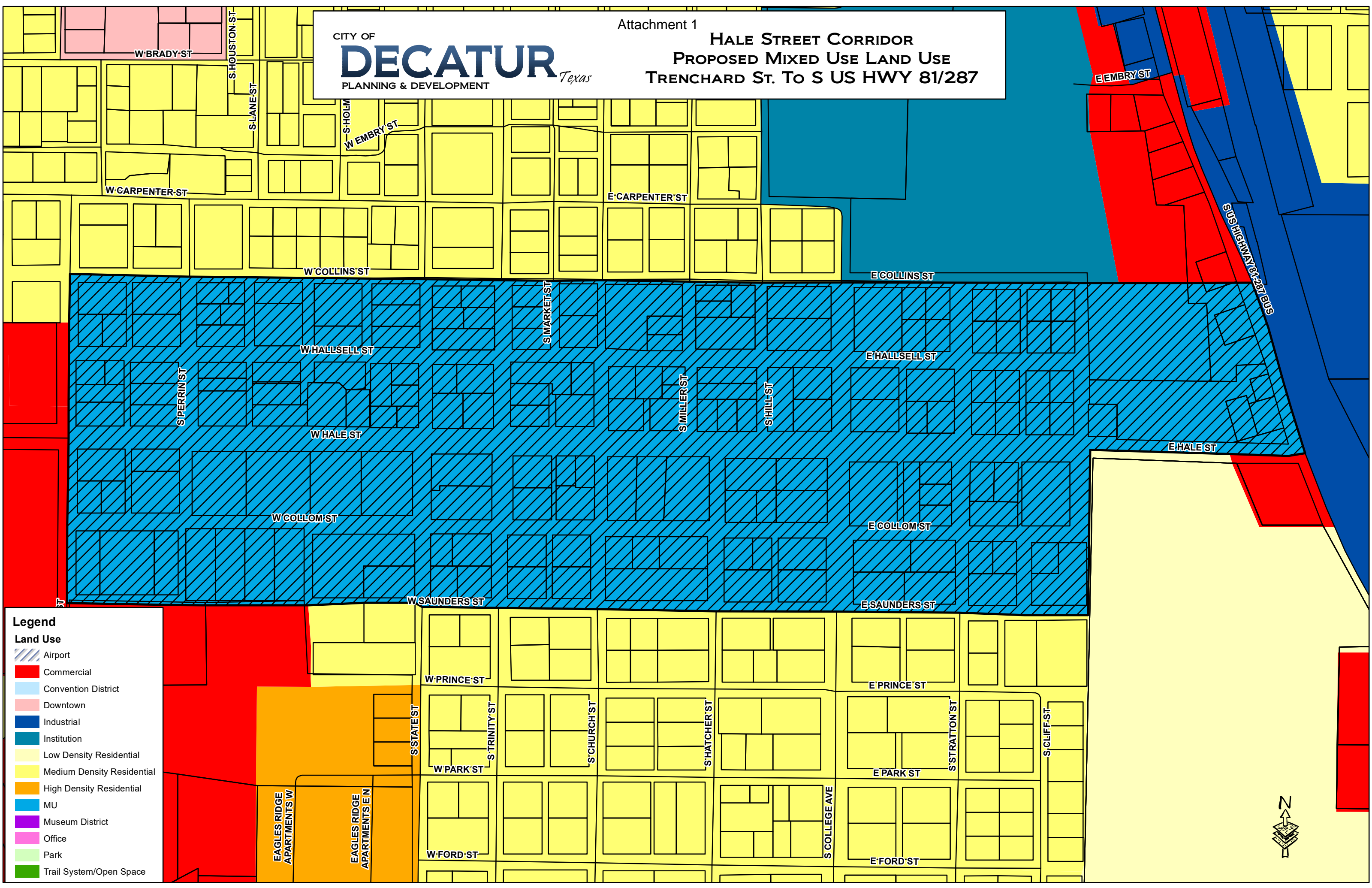
There does appear to be a clear consensus by the property owners, business owners and residents impacted by the proposed corridor to NOT create a Hale Street Corridor as a Mixed Use Land Use Designation.

Recommendation:

Provide Staff with further direction as to whether to continue pursuing the creation of a Hale Street Corridor as a Mixed Use Land Use District.

Attachments:

1. Proposed Land Use District for the Hale Street Corridor Map
2. Existing Land Uses for the Proposed Hale Street Corridor Map
3. Existing Zoning for the Proposed Hale Street Corridor Map
4. Public Input Response Map as of February 28, 2018
5. Land Use vs. Zoning Fact Sheet
6. Public Input Staff Minutes, February 20, 2018
7. Public Input Staff Minutes, February 27, 2018

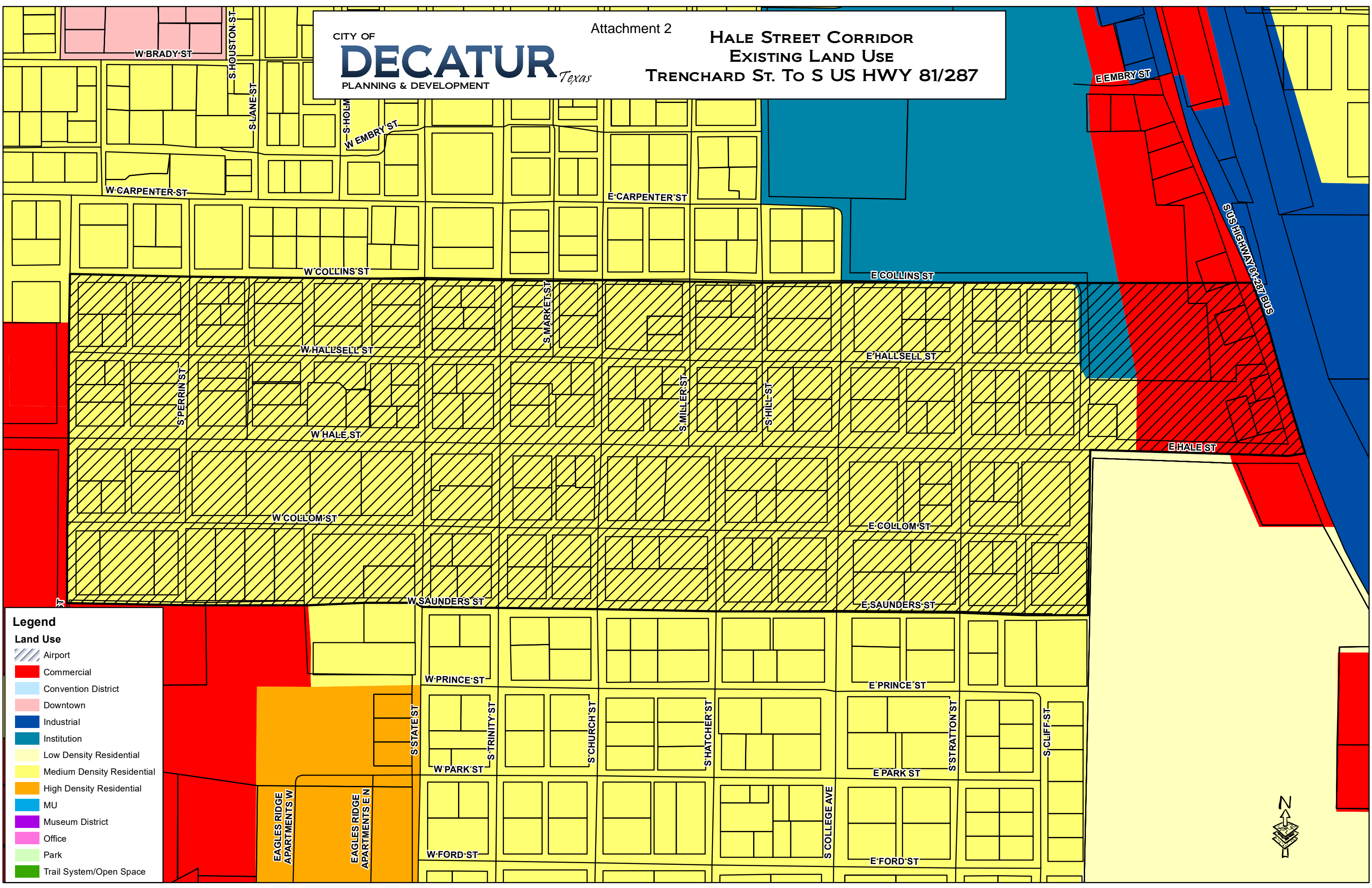


Legend

Land Use

- Airport
- Commercial
- Convention District
- Downtown
- Industrial
- Institution
- Low Density Residential
- Medium Density Residential
- High Density Residential
- MU
- Museum District
- Office
- Park
- Trail System/Open Space

HALE STREET CORRIDOR
EXISTING LAND USE
TRENCHARD ST. TO S US HWY 81/287



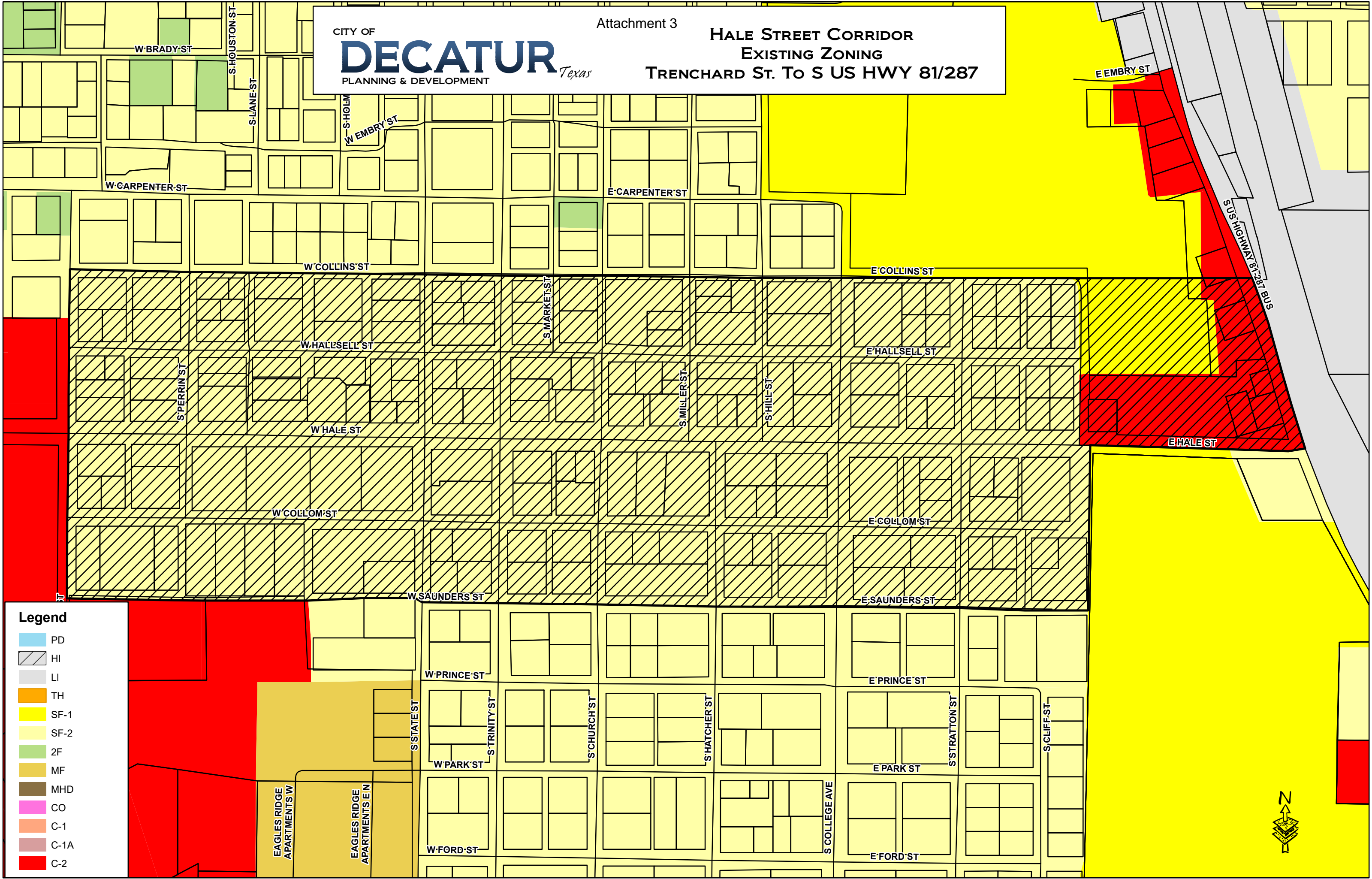
Legend

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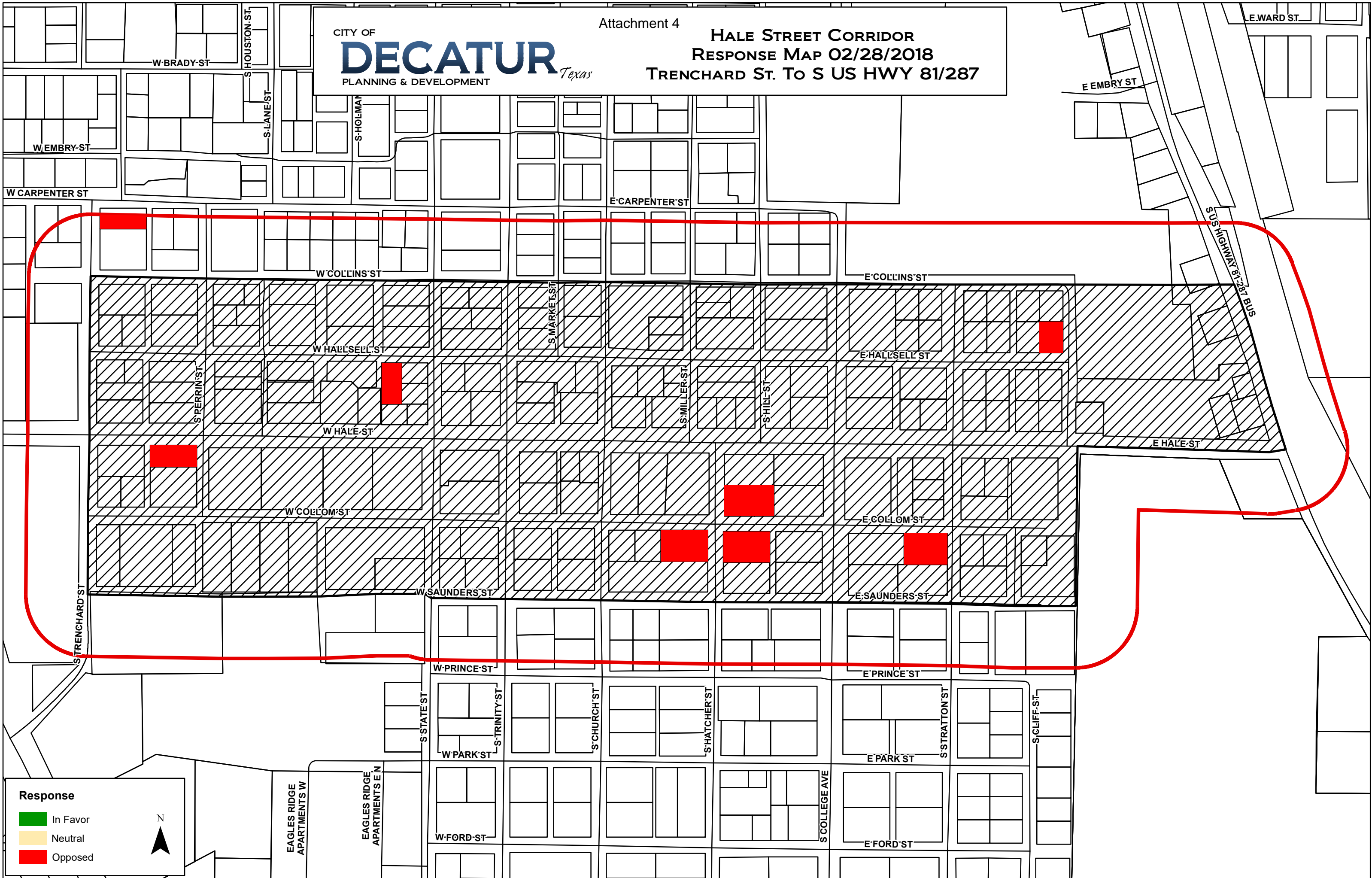
HALE STREET CORRIDOR
EXISTING ZONING
TRENCHARD ST. TO S US HWY 81/287



Legend

- PD
- HI
- LI
- TH
- SF-1
- SF-2
- 2F
- MF
- MHD
- CO
- C-1
- C-1A
- C-2





Attachment 5

PUBLIC INPUT MEETING FACT SHEET: LAND USE AND ZONING

Land use is defined as how the area is used. Such as for recreational use, farm use, industrial use etc. In urban planning, land-use planning seeks to order and regulate land use in an efficient and ethical way, thus preventing land-use conflicts. Governments use land-use planning to manage the development of land within their jurisdictions.

Zoning describes the **control by authority of the use of land**, and of the buildings thereon. Areas of land are divided into zones within which various uses are permitted. Thus, zoning is a technique of land-use planning used by local governments. Zoning laws can be used to regulate lot sizes and establish ordinances about protecting wildlife and removing natural resources. They can also restrict the number and types of domestic or farm animals landowners can have on their property. For example, residential zones may only allow for domestic pets, such as dogs and cats, while residents in rural zones can have horses, cows or sheep. Zoning regulations can also protect residential areas from some of the disruptions associated with commercial or home-based businesses.

While there are no universal zoning codes, there are different types of land use zones, such as residential, historical, industrial and commercial. Let's take a closer look at some of these areas.

Land-use planning often leads to land-use regulation, which typically encompasses zoning. Zoning regulates the types of activities that can be accommodated on a given piece of land, as well as the amount of space devoted to those activities, and the ways that buildings may be situated and shaped.

Zoning in the US came about in the late 19th and early 20th centuries to protect the interests of property owners. The practice was found to be constitutionally sound by the Supreme Court decision of *Village of Euclid v. Ambler Realty Co.* in 1926. Soon after, the Standard State Zoning Enabling Act gave authority to the states to regulate land use.

A deep-rooted anti-zoning sentiment exists in America that no one has the right to tell another what he can or cannot do with his land. Ironically, although people are

often averse to being told how to develop their own land, they tend to expect the government to intervene when a proposed land use is undesirable.

Conventional zoning has not typically regarded the manner in which buildings relate to one another or the public spaces around them, but rather has provided a pragmatic system for mapping jurisdictions according to permitted land use. The urban sprawl that most US cities began to experience in the mid-twentieth century was, in part, created by a flat approach to land-use regulations. Zoning without planning created unnecessarily exclusive zones. Thoughtless mapping of these zones over large areas was a big part of the recipe for suburban sprawl. It was from the deficiencies of this practice that land-use planning developed, to envision the changes that development would cause and mitigate the negative effects of such change.



Suburban development near Colorado Springs, Colorado, United States

As America grew and sprawl was rampant, the much-loved America of the older towns, cities, or streetcar suburbs essentially became illegal through zoning. Unparalleled growth and unregulated development changed the look and feel of landscapes and communities. They strained commercial corridors and affected housing prices, causing citizens to fear a decline in the social, economic and environmental attributes that defined their quality of life. Zoning regulations became politically contentious as developers, legislators, and citizens struggled over altering zoning maps in a way that was acceptable to all parties. Land use planning practices evolved as an attempt to overcome these challenges. It engages citizens and policy-makers to plan for development with more intention, foresight, and community focus than had been previously used.

Today, successful planning involves a balanced mix of analysis of the existing conditions and constraints; extensive public engagement; practical planning and design; and financially and politically feasible strategies for implementation.

Current processes include a combination of strategic and environmental planning. It is becoming more widely understood that any sector of land has a certain capacity for supporting human, animal, and vegetative life in harmony, and that upsetting this balance has dire consequences on the environment. Planners and citizens often take on an advocacy role during the planning process in an attempt to influence public policy. Due to a host of political and economic factors, governments are slow to adopt land use policies that are congruent with scientific data supporting more environmentally sensitive regulations.

Since the 1990s, the activist/environmentalist approach to planning has grown into the Smart Growth movement, characterized by the focus on more sustainable and less environmentally damaging forms of development. Moreover, there is changes on the requirements of land use planning overtime.

Smart growth supports the integration of mixed land uses into communities as a critical component of achieving better places to live. Putting uses in close proximity to one another has benefits for transportation alternatives to driving, security, community cohesiveness, local economies, and general quality of life issues. Smart growth strives to provide a means for communities to alter the planning context which currently renders mixed land uses illegal in most of the country.

ATTACHMENT 6 STAFF MINUTES

A public input meeting for the proposed Hale Street Corridor Mixed Use Land Use District was held at 5:00 p.m., Tuesday, February 20, 2018, at City Hall Council Chamber with the following in attendance:

Planning and Development Director Dedra Ragland, Development Review Coordinator Shanna Smith, GIS Analyst Ford McElroy and Building Official Wayne Smith representing the staff, Cecil LeMond, Curtis Creswell and Terry Berube representing the Planning and Zoning Commission, and Dixie Snead, Joe Ballard, Rolando Lomas, Epifanio Padron, Keith Cornell, Sergio Gomez, Loraine Burton, Charles Burton, Cindy Gleason, David Gleason and Melinda Woods Decatur citizens.

Planning Director Dedra Ragland began the meeting by thanking the citizens for their attendance. She explained the proposal to create the Hale Street Corridor Mixed Use Land Use District. Planning Director Dedra Ragland gave an explanation of the difference between land use and zoning. Hale Street was originally planned to be a commercial thoroughfare.

Citizen Dixie Snead expressed her opposition to the change. Commissioner Creswell asked Ms. Snead why she is opposed to the proposal. Ms. Snead moved to Decatur and likes the old trees and small town residential areas.

Commissioner Berube stated, as a citizen of the area being proposed for a Mixed Use Land Use District, she is also opposed to the proposal. The neighborhood is currently a walkable neighborhood with residents walking their dogs and riding bikes.

Planning Director Ragland reminded the attendees that the land use is all that is being proposed for change and zoning change requests will be handled on a case by case basis.

A citizen asked if there is a master plan to have a “restaurant row.” Planning Director Ragland stated a “restaurant row” is not being proposed and the land use change will give property owners more options in the future. Commissioner Creswell told the attendees their neighbor may request to change their zoning designation and the property owners within 200’ will be notified of the request and have an opportunity to express their opinion.

Citizen Sergio Gomez stated there is already heavy traffic in this area. He asked if a traffic light will be installed. Planning Director Ragland answered, yes a traffic is proposed at Trenchard and Hale, once the proposed QT begins construction.

Citizen Keith Cornell asked if the exit off of Highway 287 will remain the same. Planning Director Ragland answered, yes; however, there will be some adjustments per TxDOT.

Citizen Cindy Gleason asked if we are opening Pandora's Box. Planning Director Ragland answered, as a planner, I cannot re-assure you of anything. Traffic could increase and surrounding uses may change.

A citizen asked if the City can look at a small piece around the proposed QT rather than the whole corridor. Planning Director Ragland stated that years ago, it is her understanding that Hale Street was originally planned to be a commercial corridor.

The meeting concluded at 5:45 p.m.

ATTEST:

Dedra Denée Ragland, Planning Director

ATTACHMENT 7 STAFF MINUTES

A second public input meeting for the proposed Hale Street Corridor Mixed Use Land Use District was held at 5:00 p.m., Tuesday, February 27, 2018, at City Hall Council Chamber with the following in attendance:

Planning and Development Director Dedra Ragland, Development Review Coordinator Shanna Smith, GIS Analyst Ford McElroy, Building Official Wayne Smith and Permit Technician Donna Hawkins representing the staff, Curtis Creswell and Terry Berube representing the Planning and Zoning Commission, and Dixie Snead, Rolando Lomas, Epiphanies Padron, Angelica Padron, Keith Cornell, and Melinda Woods Decatur citizens.

Planning Director Dedra Ragland began the meeting by thanking the citizens for their attendance. She explained the proposal to create the Hale Street Corridor Mixed Use Land Use District. Planning Director Dedra Ragland gave an explanation of the difference between land use and zoning. Hale Street was originally planned to be a commercial thoroughfare.

Citizen Dixie Snead asked if apartments will be allowed if the proposed Mixed Use Land Use is approved. Planning Director Ragland answered, apartments are allowed in Multi-Family Residential (MF) and Thoroughfare Business (C-2); however, the underlying land use must support the zoning change.

Citizen Rolando Lomas asked if several residents have expressed opposition to the proposal. Planning Director Ragland answered, no. Mr. Lomas went on to say that some people are still at work at the meeting time of 5:00 p.m. and some residents may have thrown their notice in the trash. Planning Director Ragland agreed with Mr. Lomas; however, finding a time that works for all involved is all but impossible and staff published the notice in the newspaper as well as mailed out notices to each property owner who may be affected. Commissioner Creswell added, if a property owner is interested in selling their property in the near future, changing the land use to the proposed Mixed Use Land Use District may prove beneficial.

Mr. Rolando Lomas believes with more commercial development, residential values will decrease and taxes will go up. Planning Director Ragland understood his concern and stated traffic could also increase.

Ms. Dixie Snead asked if staff has received any notices in favor of the request. Planning Director Ragland stated staff has not received any notices in favor of the proposed change. She explained the 20% opposition requirement, which will trigger a super majority vote from City Council.

Mr. Rolando Lomas will like to go door to door with a petition to encourage residents to oppose the proposed land use change. Commissioner Creswell stated if the Planning and Zoning Commission (P&Z) recommends denial to City Council, the City Council will still be held to the super majority vote.

Ms. Dixie Snead stated residents may have thrown their notice in the trash. Commissioner Berube stated if the attendance of the two public input meetings is all the opposition there is, the proposal will likely be recommended to City Council for approval.

Commissioner Creswell asked Mr. Lomas why he is against the proposal. Mr. Lomas grew up in the neighborhood where he currently resides and his neighborhood is quiet and safe. He understands the City needs to expand, but he would like to see the expansion in other areas.

Citizen Keith Cornell stated the current traffic on Hale Street is awful and with the proposed QT, truck traffic will increase. He went on to ask how traffic will flow from the proposed QT. Planning Director Ragland explained TxDOT is making adjustments and trucks will be required to turn left onto Trenchard and proceed to the traffic light at Hale Street and Trenchard Street. A traffic analysis was conducted and it indicated that a traffic light and an access ramp are needed.

Ms. Dixie Snead asked what the next step in the process will be. Planning Director Ragland stated the City Council and P&Z will hold a joint workshop and staff will present the citizen's concerns for discussion and consideration. Ms. Snead stated she plans to go door to door prior to the workshop. Planning Director Ragland is proposing that the workshop be held mid-March but more likely in April. The workshop may be a public input meeting so the citizens can voice their concerns.

The meeting concluded at 5:45 p.m.

ATTEST:

Dedra Denée Ragland, Planning Director